

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 2 NUMBER 24

Washington, Friday, February 5, 1937

FEDERAL COMMUNICATIONS COMMISSION.

CONTINUOUS RADIO WATCH ON CARGO SHIPS

The Commission, at a General Session, held on January 27, 1937, granted a further exemption from the requirement of a continuous radio watch on cargo ships of over 5500 gross tons of the United States, to and including April 6, 1937, provided that such ships maintain during that period a radio watch by means of a licensed operator of a proper grade of at least eight hours per day in the aggregate. The action of the Commission in granting such further exemption does not remove or alter in any way the requirement of the Ship Act of 1910 as amended with regard to any such vessels.

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 37-360; Filed, February 4, 1937; 10:00 a. m.]

[Docket No. 4409]

HEARING IN THE MATTER OF THE APPROVAL OR DISAPPROVAL OF CERTAIN AUTOMATIC ALARM DEVICES, IDENTIFIED AS MODEL A AND MODEL B

The Telegraph Division at its regular meeting held on January 26, 1937:

The Telegraph Division having under consideration the requests of several organizations for an informal hearing upon the question of approval or disapproval by the Commission under its specifications (requirements and type tests) adopted October 1, 1935, of certain automatic alarm devices, identified as Model A and Model B, which said devices will be in the offices of the Commission and available for inspection by interested parties on and after February 10, 1937; and also having under consideration tests of said automatic alarm devices, a report of which has been made public and which is available for distribution to interested parties.

It is ordered that an informal public hearing shall be held before the Telegraph Division at the offices of the Commission in Washington, D. C., beginning at 10:00 a. m., on February 19, 1937, and an opportunity afforded at such hearing for interested parties to present their views upon the Commission's approval or disapproval of the said automatic alarm devices.

It is further ordered that any person desiring to be heard at such hearing shall on or before February 15, 1937, file with the Commission an appearance consisting of a concise statement of his interest in the matter, and of the facts which he expects to prove at the hearing.

By the Commission, Telegraph Division.

[SEAL]

JOHN B. REYNOLDS,
Acting Secretary.

[F. R. Doc. 37-359; Filed, February 4, 1937; 10:00 a. m.]

FEDERAL TRADE COMMISSION.

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of February A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 2875]

IN THE MATTER OF ADAH ALBERTY, TRADING AS ALBERTY'S FOOD PRODUCTS, ALBERTY'S FOOD LAB., ALBERTY'S FOOD LABORATORIES, THE ALBERTY FOOD LABORATORIES, CHENO LABORATORIES, CHENO PRODUCTS, AND U. S. OKEY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles P. Vicini, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Monday, March 8, 1937, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 213, Chamber of Commerce Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 37-362; February 4, 1937; 10:59 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of January A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.



Published by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. L. 500), under regulations prescribed by the Administrative Committee, with the approval of the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the **FEDERAL REGISTER** will be furnished by mail to subscribers, free of postage, for \$1 per month or \$10 per year; single copies 5 cents; payable in advance. Remit by money order payable to Superintendent of Documents, Government Printing Office, Washington, D. C.

Correspondence concerning the publication of the **FEDERAL REGISTER** should be addressed to the Director, Division of the Federal Register, The National Archives, Washington, D. C.

TABLE OF CONTENTS

	Page
Federal Communications Commission:	
Cargo ships, continuous radio watch.....	285
Hearing in the matter of approval or disapproval of certain automatic alarm devices.....	285
Federal Trade Commission:	
Orders appointing examiners, etc., in matter of:	
Alberty, Adah, trading as Alberty's Food Products, etc.....	285
Cohn, Berenice, trading as Bergo Laboratories.....	286
Lewyn Drug Inc.....	286
Tarex Co.....	286
Wain's Laboratory, Inc.....	287
Woolman, Nelson E., and Lyle G. Jackson, trading as Power Seal Co.....	287
Securities and Exchange Commission:	
Order consenting to withdrawal of declaration:	
Republic Service Corp.....	287
Order fixing effective date of declaration:	
Republic Service Corp.....	287
Suspension order, etc., offering sheet by:	
Witwer, L. H.....	288

[Docket No. 2744]

IN THE MATTER OF BERENICE COHN, TRADING AS BERGO LABORATORIES

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles P. Vicini, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Monday, March 1, 1937, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 213, Chamber of Commerce Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 37-361; Filed, February 4, 1937; 10:59 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of February A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 2934]

IN THE MATTER OF LEWYN DRUG INCORPORATED

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles P. Vicini, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin Wednesday, March 3, 1937, at ten o'clock in the forenoon of that day (Pacific Standard Time) in Room 213, Chamber of Commerce Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 37-364; Filed, February 4, 1937; 11:00 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of February A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 2925]

IN THE MATTER OF TAREX COMPANY, A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles P. Vicini, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Thursday, March 4, 1937, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 213, Chamber of Commerce Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary*.

[F. R. Doc. 37-363; Filed, February 4, 1937; 10:59 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of February A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3009]

IN THE MATTER OF WAIN'S LABORATORY, INC., A CORPORATION
ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles P. Vicini, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Wednesday, March 10, 1937, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 213, Chamber of Commerce Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 37-365; Filed, February 4, 1937; 11:00 a. m.]

United States of America—Before Federal Trade Commission

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of February A. D. 1937.

Commissioners: William A. Ayres, Chairman; Garland S. Ferguson, Jr., Charles H. March, Ewin L. Davis, Robert E. Freer.

[Docket No. 3014]

IN THE MATTER OF NELSON E. WOOLMAN AND LYLE G. JACKSON,
COPARTNERS TRADING AND DOING BUSINESS UNDER THE NAME
OF POWER SEAL COMPANY

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR
TAKING TESTIMONY

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U. S. C. A., Section 41),

It is ordered that Charles P. Vicini, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered that the taking of testimony in this proceeding begin on Friday, February 26, 1937, at ten o'clock in the forenoon of that day (Pacific Standard Time), in Room 213, Chamber of Commerce Building, Los Angeles, California.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report. By the Commission.

[SEAL]

OTIS B. JOHNSON, *Secretary.*

[F. R. Doc. 37-366; Filed, February 4, 1937; 11:00 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of February A. D. 1937.

[File No. 43-18]

IN THE MATTER OF THE DECLARATION OF REPUBLIC SERVICE CORPORATION

ORDER CONSENTING TO WITHDRAWAL OF DECLARATION UNDER SECTION 7 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935 PURSUANT TO THE REQUEST OF DECLARANT

The Commission, having due regard to the public interest and the interest of investors and consumers, upon the request of the declarant, consents to the withdrawal of the declaration of the above-named declarant, and to that effect

It is so ordered

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-367; Filed, February 4, 1937; 12:40 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 3rd day of February A. D. 1937.

[File No. 43-24]

IN THE MATTER OF THE DECLARATION OF REPUBLIC SERVICE CORPORATION

ORDER FIXING EFFECTIVE DATE FOR DECLARATION UNDER SECTION 7 OF THE PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

Republic Service Corporation, a registered holding company, having filed with this Commission a declaration and four amendments thereto pursuant to Section 7 of the Public Utility Holding Company Act of 1935, regarding the issue and sale by it of \$400,000 principal amount of its First Lien Collateral Trust Twenty-five Year Bonds, Series A, 5%, due June 1, 1951; a hearing on said declaration, as amended, having been held after appropriate notice; the record in this matter having been examined; and the Commission having made and filed its findings herein;

It is ordered that said declaration, as amended, be and become effective on February 3, 1937, on condition that the issue and sale of said bonds be effected in substantial compliance with all the terms and conditions of, and for the purposes represented by, said declaration, as amended;

It is further ordered that, within ten days after the sale of the bonds covered by the aforesaid declaration, the declarant shall file with this Commission a certificate of notification showing that such sale has been effected in accordance with the conditions imposed by this order;

It is further ordered that, notwithstanding any rule or regulation of the Commission, the declarant shall not hereafter declare or pay any dividend on any shares of any class of its capital stock unless and until the Commission shall by order have approved such transaction;

It is further ordered that, the declarant shall not hereafter sell or pledge any bonds heretofore or hereafter issued to it under the terms of the trust indenture securing the bonds covered by the present declaration, except in accordance with a declaration under Section 7 with respect to such transaction that has become effective.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 37-368; Filed, February 4, 1937; 12:40 p. m.]

*United States of America—Before the Securities
and Exchange Commission*

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C. on the 3rd day of February A. D. 1937.

IN THE MATTER OF AN OFFERING SHEET OF A ROYALTY INTEREST
IN THE GULF MANUEL FARM, FILED ON JANUARY 28, 1937, BY
L. H. WITWER, RESPONDENT.

SUSPENSION ORDER, ORDER FOR HEARING (UNDER RULE 340 (A))
AND ORDER DESIGNATING TRIAL EXAMINER

The Securities and Exchange Commission, having reasonable grounds to believe, and therefore alleging, that the offering sheet described in the title hereof and filed by the respondent named therein is incomplete or inaccurate in the following material respects, to wit:

(1) In that paragraphs (a) and (b) which should appear at the beginning of Division II have been omitted;

(2) In that Item 2 (e) of Division II states the date of the lease is September 23, 1931, whereas the Commission has information to the effect that the date of this lease is October 26, 1931;

(3) In that Item 2 (f) of Division II states there are two lessees of record, whereas the Commission has information that there is only one;

(4) In that Items 14, 15, 16 and 17 (b) of Division II are not correctly answered, based upon information in the possession of the Commission;

(5) In that in Item 18 (a), Division II, the name of the horizon is omitted;

(6) In that it is stated in Item 18 (b) that the gravity of the oil produced is 36°, whereas the Commission has information to the effect that the gravity is 29-31°;

It is ordered, pursuant to Rule 340 (a) of the Commission's General Rules and Regulations under the Securities Act of 1933, as amended, that the effectiveness of the filing of said offering sheet be, and hereby is, suspended until the 4th day of March 1937 that an opportunity for hearing be given to the said respondent for the purpose of determining the material completeness or accuracy of the said offering sheet in the respects in which it is herein alleged to be incomplete or inaccurate, and whether the said order of suspension shall be revoked or continued; and

It is further ordered that Charles S. Lobingier, an officer of the Commission, be and hereby is designated as trial examiner to preside at such hearing, to continue or adjourn the said hearing from time to time, to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, consider any amendments to said offering sheet as may be filed prior to the conclusion of the hearing, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law; and

It is further ordered that the taking of testimony in this proceeding commence on the 17th day of February 1937 at 10:00 o'clock in the forenoon, at the office of the Securities and Exchange Commission, 18th Street and Pennsylvania Avenue, Washington, D. C., and continue thereafter at such times and places as said examiner may designate.

Upon the completion of testimony in this matter the examiner is directed to close the hearing and make his report to the Commission.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR, *Secretary*.

[F. R. Doc. 37-369; Filed, February 4, 1937; 12:40 p. m.]